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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,360	04/24/2001	Franc J. Camara	154783.02	6257

22971 7590 01/04/2007

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EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/841,360

Applicant(s)

CAMARA

Examiner

Steven P. Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 14-22 is/are allowed.
- 6) ☒ Claim(s) 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. The amendment filed 10/11/06 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinson et al (6144391) and Nemiroff et al (US 2002/0075399).

4. Regarding claim 10, Hinson et al show the method for presenting a video stream captured by a video streaming device having no captured image storage (Figure 2, column 4 lines 1-30 and 40-50 – the store is separate from the video streaming device itself and this is one of the purposes of the invention), including: presenting a view of the video stream in real time currently captured by the video streaming device to the user (column 7 lines 10-20), contemporaneously presenting images previously captured by the video streaming device to the user (column 7 lines 25-45, column 8 lines 42-60). Nemiroff et al do not go into the specific details of the device itself being a video capturing device that is capturing while it is presenting the previously captured

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images, but do mention efficient storage and presentation coordination. Furthermore, Nemiroff et al do show the video capturing device which captures while it presents previously captured images, for efficient coordination of storage and presentation (Figures 1-2, para 9, 24, 27, 36). It would have been obvious to a person with ordinary skill in the art to have this in Hinson et al, because it would allow efficient coordination of storage and presentation. Note the folder that normally holds icons and displaying the icon to preview the video stream with the previously captured images (Hinson et al column 8 lines 28-42).

14. Regarding claim 11, note the medium (such as Hinson et al column 6 lines 15-20).

15. Regarding claim 12, the interface has a control for capturing a still image from the view of the video stream being displayed, and in response to activating the control, capturing the still image and adding it to the previously captured images (Hinson et al column 8 lines 42-65, column 10 lines 25-45).

16. Regarding claim 13, the streaming video device is recognized as one from which images have been previously captured, and still images from storage locations are retrieved (Hinson et al column 7 lines 5-25).

17. Claims 1-9 and 14-22 are allowable over the prior art of record. These claims bring out the identifier and directory and more specifically show the current videostream with the previous captured images.

18. Applicant's arguments filed have been fully considered but they are not persuasive. Regarding claim 10, the activation of the icon is related to presenting the icon which represents the video capturing device. The claim language is broad and if applicant means more, then this needs to be brought out in the claim. Also note that the icon still, in view of the combination, is a captured image. The motivation is valid, in that even though Hinson may have efficiency, still Hinson mentions efficient coordination of storage and presentation, such as coordination between multiple images. Nemiroff does in fact teach a way to do this in an efficient manner, and thus it would be obvious to a person with ordinary skill in the art to have this in Hinson. Applicant is invited to contact Examiner to finish discussing claim 10.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ORIGINAL
PRIMARY EXAMINER